



Atty. Dkt. No. 018733-1059

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Susanna M. RYBAK et al.  
Title: IMMUNOCONJUGATES OF  
TOXINS, DIRECTED AGAINST  
MALIGNANT CELLS  
Appl. No.: 09/961,400  
Filing Date: May 25, 2001  
Examiner: Unknown  
Art Unit: 1646

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TECH CENTER 1600/2900

**PRELIMINARY AMENDMENT UNDER 37 C.F.R. § 1.115**

Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

Prior to examination of the present Divisional Application, Applicants respectfully request that the application be amended as set forth on the following pages.

**Amendments to the Claims**

Please add new claims 9 - 18:

C1  
1. (Original) A cytotoxic reagent comprising a ribonuclease encoded by a nucleic acid comprising SEQ ID NO:14 and conservatively substituted variants thereof, wherein the amino acid sequence is selected from the group consisting of SEQ ID NO:15, SEQ ID NO:17, SEQ ID NO:19, SEQ ID NO:21, SEQ ID NO:22, SEQ ID NO:24, and SEQ ID NO:26, said ribonuclease being linked to an antibody directed against a cell surface antigen present on a cancerous B cell.

2. (Original) The cytotoxic reagent of claim 1, wherein said antibody is directed against CD22.

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**PRELIMINARY AMENDMENT TRANSMITTAL**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- ☐ Small Entity statement is enclosed.
- ☒ The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	18	20	0	\$18.00	\$0.00
Independents:	4	3	1	\$84.00	\$84.00
First presentation of any Multiple Dependent Claims:			+	\$280.00	\$0.00
CLAIMS FEE TOTAL:					\$84.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$410.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,970.00	\$0.00
EXTENSION FEE TOTAL:			\$0.00
CLAIMS AND EXTENSION FEE TOTAL:			\$84.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:			\$84.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$84.00. A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of \$84.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date March 24, 2003

By Stephen B. Maebius

FOLEY & LARDNER  
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

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Facsimile: (202) 672-5399

Stephen B. Maebius  
Attorney for Applicant  
Registration No. 35,264